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<Proceeding> EB Docket 06-36

<Date> September 26, 2008

<Name> West-Col Radio Paging

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WEST-COL RADIO PAGING, INC.

167 So. 17th Street
Grand Junction, Colorado 81501
970-241-1197

September 26, 2008

VIA ECFS

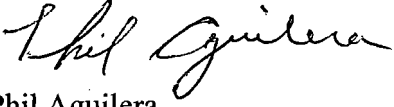
Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Attention: Enforcement Bureau

**RE: West-Col Radio Paging, Inc.
EB Docket No. 06-36**

For the reasons set forth in its response to the FCC's CPNI Inquiry dated September 16, 2008 (File No. EB-08-TC-3671), which is incorporated herein as if fully set forth, West-Col Radio Paging, Inc. (West-Col) hereby requests a waiver of Rule Section 64.2009(e) to permit the filing of the instant report. For good cause shown, it is respectfully submitted that the public interest would be served by a grant of this request.

Respectfully submitted,


Phil Aguilera
President

WEST-COL RADIO PAGING, INC.

167 So. 17th Street
Grand Junction, Colorado 81501
970-241-1197

September 26, 2008

VIA E-MAIL

Marcy Greene, Deputy Division Chief
Robert Somers, Senior Attorney
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW (Room 4A-263)
Washington, DC 20554

RE: West-Col Radio Paging, Inc.

West-Col Radio Paging, Inc. (West-Col) hereby submits its response to your letter, dated September 5, 2008, in the referenced proceeding.

West-Col went out of business on June 16, 2008 and no longer provides service.

West-Col was a small, independent one-way paging service provider located in Grand Junction, Colorado. It served less than 1700 pagers, virtually all of which were used by local business and institutional customers such as schools, law enforcement offices, fire departments, hospital and medical practices. West-Col's paging was local in nature, with virtually all pages being originated and terminated in Grand Junction and nearby areas in Grand Junction, Colorado. West-Col terminals did not generate call detail information and West-Col was not able to conduct traffic studies; rather West-Col knew that its paging was local because its customers purchased paging service predominately to alert or summon their employees with respect to emergencies or other important tasks while such employees were off duty, on location, or working at other locations.

As the Commission is aware, demand for paging service has declined substantially during the last two decades as cellular phones have become smaller, cheaper and increasingly ubiquitous. Small paging service providers like West-Col's have been essentially hanging on to serve a steadily shrinking base of existing customers in a declining niche industry. It has long ago ceased making business sense for paging providers like West-Col to invest in new or improved paging terminals and transmitting equipment (if they could find manufacturers offering such equipment at reasonable prices), or to expend significant recourses in the marketing of their services.

Because of the declining nature of its business, West-Col had sought to reduce expenses during recent years by taking actions such as terminating subscriptions to telecommunications industry

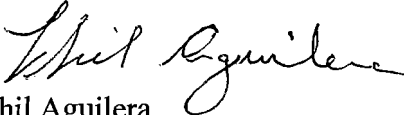
Marcy Greene, Deputy Division Chief
Robert Somers, Senior Attorney
September 26, 2008
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publications, and not joining telecommunications industry associations or attending industry meetings and seminars. As a result, West-Col was not aware of the 2007 revisions to the Commission's Customer Proprietary Network Information ("CPNI") rules, including the new March 1 deadline for the filing of an annual Section 64.2009(e) compliance certificate. Consequently, West-Col did not file a CPNI compliance certificate for calendar year 2007 on or before March 1, 2008.

Nonetheless, West-Col was in compliance with the Commission's CPNI compliance requirements throughout 2007, primarily because West-Col did not generate or use any call detail information and did not use CPNI for marketing purposes. First, West-Col's customers could not and did not originate any calls over their one-way pagers. Second, West-Col used "dumb" paging terminals that did not generate, collect or use information regarding the identity, location or telephone number of callers who placed pages to particular pagers or paging customers. Finally, West-Col did possess some limited CPNI regarding the types of paging service (such as alphanumeric, tone-only and/or tone-and-voice paging, digital display) taken by particular customers, but did not use this CPNI to market other services to its predominately business and institutional paging customers.

West-Col is now fully aware of the Commission's revised CPNI regulations and filing requirements and will comply with them if required even though it has never generated any call detail information or used any other CPNI for marketing purposes. Out of an abundance of caution, West-Col has prepared and filed the attached Section 64.2009(e) compliance certificate for 2007.

Respectfully submitted,


Phil Aguilera
President

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2007

Date filed: September 27, 2008

Name of company covered by this certification: West-Col Radio Paging

Form 499 Filer ID: 815230

Name of signatory: Phil Aguilera

Title of signatory: President

I, Phil Aguilera, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).

Signed



WEST-COL RADIO PAGING, INC.

Exhibit 1

STATEMENT EXPLAINING HOW THE COMPANY'S OPERATING PROCEDURES ENSURE COMPLIANCE WITH THE FCC'S CPNI RULES

I. Customer Proprietary Network Information ("CPNI")

CPNI is defined in Section 222(f) of the Communications Act as (A) information that relates to the quantity, technical configuration, type, destination, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier (except that CPNI does not include subscriber list information).

Generally, CPNI includes personal information regarding a consumer's use of his or her telecommunications services. CPNI encompasses information such as: (a) the telephone numbers called by a consumer; (b) the telephone numbers calling a customer; (c) the time, location and duration of a consumer's outbound and inbound phone calls, and (d) the telecommunications and information services purchased by a consumer. The only CPNI generated by the Company is the telecommunications and information services purchased by a consumer.

Call detail information (also known as "call records") is a category of CPNI that is particularly sensitive from a privacy standpoint and that is sought by pretexters, hackers and other unauthorized entities for illegitimate purposes. Call detail includes any information that pertains to the transmission of a specific telephone call, including the number called (for outbound calls), the number from which the call was placed (for inbound calls), and the date, time, location and/or duration of the call (for all calls). The Company does not generate any call detail information.

II. Use and Disclosure of CPNI Is Restricted

The Company recognizes that CPNI includes information that is personal and individually identifiable, and that privacy concerns have led Congress and the FCC to impose restrictions upon its use and disclosure, and upon the provision of access to it by individuals or entities inside and outside the Company.

The Company has designated a CPNI Compliance Officer who is responsible for: (1) communicating with the Company's attorneys regarding CPNI responsibilities, requirements and restrictions; (2) supervising the training of any Company employees and agents who use or have access to CPNI; (3) supervising the use, disclosure, distribution or access to the Company's CPNI by independent contractors and joint venture partners; (4) maintaining records regarding the use of CPNI in any marketing campaigns the Company might conduct

in the future (it has conducted none for some time); and (5) receiving, reviewing and resolving questions or issues regarding use, disclosure, distribution or provision of access to CPNI.

Company employees and agents that may deal with CPNI have been informed that there are substantial federal restrictions upon CPNI use, distribution and access. In order to be authorized to use or access the Company's CPNI, employees and agents must receive training with respect to the requirements of Section 222 of the Communications Act and the FCC's CPNI Rules (Subpart U of Part 64 of the FCC Rules).

If an agent, independent contractor or joint venture partner ever receives or is allowed to access or use the Company's CPNI, the agent's, independent contractor's or joint venture partner's agreement with the Company must contain provisions (or the Company and the agent, independent contractor or joint venture partner must enter into an additional confidentiality agreement which provides) that: (a) the agent, independent contractor or joint venture partner may use the CPNI only for the purpose for which the CPNI has been provided; (b) the agent, independent contractor or joint venture partner may not disclose or distribute the CPNI to, or allow access to the CPNI by, any other party (unless the agent, independent contractor or joint venture partner is expressly and specifically required to do so by a court order); and (c) the agent, independent contractor or joint venture partner must implement appropriate and specific safeguards acceptable to the Company to ensure the confidentiality of the Company's CPNI.

III. Protection of CPNI

1. The Company may, after receiving an appropriate written request from a customer, disclose or provide the customer's CPNI to the customer by sending it to the customer's address or record. Any and all such customer requests: (1) must be made in writing; (2) must include the customer's correct billing name and address and telephone number; (3) must specify exactly what type or types of CPNI must be disclosed or provided; (4) must specify the time period for which the CPNI must be disclosed or provided; and (5) must be signed by the customer.

2. The Company will provide a customer's CPNI to a law enforcement agency in accordance with applicable legal requirements.

3. The Company does not have any call detail information, and therefore has not collected any customer passwords and/or "shared secret" question-answer combinations from any of its customers in order to authenticate the identity of customers requesting call detail information over the telephone.

4. Company employees authenticate all telephone requests for CPNI either (a) by send the requested information to the customer's postal or electronic "address of record" (see definition above); or (b) by call the customer back at the customer's "telephone number of record" (see definition above) with the requested information.

5. The Company has adopted a policy that it does not and will not use, disclose or permit access to CPNI by an affiliate.
6. When an existing customer calls the Company to inquire about or order new, additional or modified services (in-bound marketing), the Company may use the customer's CPNI other than call detail CPNI to assist the customer for the duration of the customer's call if the Company provides the customer with the oral notice required by Sections 64.2008(c) and 64.2008(f) of the FCC's Rules and after the Company authenticates the customer.
7. The Company has adopted a policy that it does not and will not use, disclose, or permit access to CPNI in connection with Company-initiated marketing of services to which a customer does not already subscribe from the Company (out-bound marketing).
8. The Company's employees and billing agents may use CPNI to initiate, render, bill and collect for telecommunications services. The Company may obtain information from new or existing customers that may constitute CPNI as part of applications or requests for new, additional or modified services, and its employees and agents may use such customer information (without further customer approval) to initiate and provide the services. Likewise, the Company's employees and billing agents may use customer service and calling records (without customer approval): (a) to bill customers for services rendered to them; (b) to investigate and resolve disputes with customers regarding their bills; and (c) to pursue legal, arbitration, or other processes to collect late or unpaid bills from customers.
9. The Company's employees and agents may use CPNI without customer approval to protect the Company's rights or property, and to protect users and other carriers from fraudulent, abusive or illegal use of (or subscription to) the telecommunications service from which the CPNI is derived. Because allegations and investigations of fraud, abuse and illegal use constitute very sensitive matters, any access, use, disclosure or distribution of CPNI pursuant to this Section must be expressly approved in advance and in writing by the Company's CPNI Compliance Officer.
10. The Company's employees, agents, independent contractors and joint venture partners may NOT use CPNI to identify or track customers who have made calls to, or received calls from, competing carriers. Nor may the Company's employees, agents, independent contractors or joint venture partners use or disclose CPNI for personal reasons or profit.
11. Company policy mandates that files containing CPNI be maintained in a secure manner such that they cannot be used, accessed, disclosed or distributed by unauthorized individuals or in an unauthorized manner.
12. Paper files containing CPNI are kept in secure areas, and may not be used, removed, or copied in an unauthorized manner.
13. Company employees, agents, independent contractors and joint venture partners are required to notify the CPNI Compliance Officer of any access or security problems they encounter with respect to files containing CPNI.

14. After December 8, 2007, the Company will notify customers immediately of certain changes in their accounts that may affect privacy or security matters.

a. The types of changes that require immediate notification include: (a) change or request for change of the customer's password; (b) change or request for change of the customer's address of record; (c) change or request for change of any significant element of the customer's online account; and (d) a change or request for change to the customer's responses with respect to the back-up means of authentication for lost or forgotten passwords.

b. The notice may be provided by: (a) a Company call or voicemail to the customer's telephone number of record; (b) a Company text message to the customer's telephone number of record; or (c) a written notice mailed to the customer's address of record (to the customer's prior address of record if the change includes a change in the customer's address of record).

c. The notice must identify only the general type of change and must not reveal the changed information.

15. Since December 8, 2007, the Company must provide an initial notice to law enforcement and a subsequent notice to the customer if a security breach results in the disclosure of the customer's CPNI to a third party without the customer's authorization.

a. As soon as practicable (and in no event more than seven (7) days) after the Company discovers that a person (without authorization or exceeding authorization) has intentionally gained access to, used or disclosed CPNI, the Company must provide electronic notification of such breach to the United States Secret Service and to the Federal Bureau of Investigation via a central reporting facility accessed through a link maintained by the FCC at <http://www.fcc.gov/eb/cpni>.

16. Since December 8, 2007, the Company will provide customers with access to CPNI at its retail locations if the customer presents a valid photo ID and the valid photo ID matches the name on the account.

17. Since December 8, 2007, the Company takes reasonable measures to discover and protect against activity that is indicative of pretexting including requiring Company employees, agents, independent contractors and joint venture partners to notify the CPNI Compliance Officer immediately by voice, voicemail or email of: (a) any suspicious or unusual call requesting a customer's call detail information or other CPNI (including a call where the caller furnishes an incorrect password or incorrect answer to one or both of the "shared secret" question-answer combinations); (b) any suspicious or unusual attempt by an individual to change a customer's password or account information (including providing inadequate or inappropriate identification or incorrect "address or record," "telephone

number of record” or other significant service information); (c) any and all discovered instances where access to the Company’s electronic files or databases containing passwords or CPNI was denied due to the provision of incorrect logins and/or passwords; and (d) any complaint by a customer of unauthorized or inappropriate use or disclosure of his or her CPNI. The CPNI Compliance Officer will request further information in writing, and investigate or supervise the investigation of, any incident or group of incidents that reasonably appear to entail pretexting.

IV. CPNI Compliance Officer

In addition to the specific matters required to be reviewed and approved by the Company’s CPNI Compliance Officer, employees and agents, independent contractors and joint venture partners are strongly encouraged to bring any and all other questions, issues or uncertainties regarding the use, disclosure, or access to CPNI to the attention of the Company’s CPNI Compliance Officer for appropriate investigation, review and guidance. The extent to which a particular employee or agent brought a CPNI matter to the attention of the CPNI Compliance Officer and received appropriate guidance is a material consideration in any disciplinary action brought against the employee or agent for impermissible use, disclosure or access to CPNI.

V. Disciplinary Procedures

The Company has informed its employees and agents, independent contractors and joint venture partners that it considers compliance with the Communications Act and FCC Rules regarding the use, disclosure, and access to CPNI to be very important.

Violation by Company employees or agents of such CPNI requirements will lead to disciplinary action (including remedial training, reprimands, unfavorable performance reviews, probation, and termination), depending upon the circumstances of the violation (including the severity of the violation, whether the violation was a first time or repeat violation, whether appropriate guidance was sought or received from the CPNI Compliance Officer, and the extent to which the violation was or was not deliberate or malicious).

Violation by Company independent contractors or joint venture partners of such CPNI requirements will lead to prompt disciplinary action (up to and including remedial training and termination of the contract).